



Department of Public Works  
Engineering Regulatory & Analytics  
201 W. Colfax Avenue, Dept. 507  
Denver, CO 80202  
720-865-3001  
www.denvergov.org/survey

## REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT

**TO:** Caroline Martin, City Attorney's Office  
**FROM:** Robert J. Duncanson, P.E.  
Manager 2, Development Engineering Services

**PROJECT NO:** 2015-RELINQ-0000008

**DATE:** September 16, 2016

**SUBJECT:** Request for an Ordinance to relinquish certain easements established in the Ordinance No. 251, Series of 2005, Reception No. 2005066629 and Ordinance No. 313, Series 1998, Reception No. R-88-0272242. Located at the northern corner of Speer and Bannock.

**It is requested that the above subject item be placed on the next available Mayor Council Agenda.**

This office has investigated the request of Kimley-Horn and Associates, Inc., dated September 1, 2015 on behalf of Bannock Associates, LTD for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Asset Management; Comcast; the City Councilperson; CPD: Planning Services; Historic Preservation/Landmark; Denver Water; Denver Fire Department; City Forestry; Parks and Recreation; Engineering, Regulatory, and Analytics Transportation and Wastewater; Public Works: Construction Engineering; Public Works – Policy and Planning; Metro Wastewater Reclamation District; Survey; CenturyLink; and Xcel Energy, all of whom have returned our questionnaires indicating their agreement.

As a result of the investigations, it has been determined that there is no objection to relinquishing the subject easement.

Therefore, you are requested to initiate Council action to relinquish the easements in the following described area(s):

**INSERT PARCEL DESCRIPTION 2015-RELINQ-0000008-001 HERE**  
**INSERT PARCEL DESCRIPTION 2015-RELINQ-0000008-002 HERE**

A map of the area and a copy of the document creating the easement are attached.

RJD:ad

cc:  
City Councilperson & Aides  
City Council Staff – Shelley Smith  
Department of Law – Brent Eisen  
Department of Law – Shaun Sullivan  
Public Works, Manager's Office – Alba Castro  
Public Works, Legislative Services – Angela Casias  
Public Works, Survey – Paul Rogalla

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Angela Casias  
at [angela.casias@DenverGov.org](mailto:angela.casias@DenverGov.org) by 12:00 pm on Monday.

*\*All fields must be completed.\**

*Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: September 16, 2016\_\_\_\_\_

Please mark one:       Bill Request      or       Resolution Request

1. Has your agency submitted this request in the last 12 months?

Yes       No

If yes, please explain:

2. **Title:** *(Include a concise, one sentence description – please include name of company or contractor and contract control number - that clearly indicates the type of request: **grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.**)*

Request to relinquish easements originally conveyed in Ordinance No. 251, Series 2005, Reception No. 2005066629 and Ordinance No. 313, Series 1998, Reception No. R-88-0272242 located at the northern corner of Speer and Bannock.

3. **Requesting Agency:** Public Works – Right of Way Services – Engineering, Regulatory, and Analytics

4. **Contact Person:** *(With actual knowledge of proposed ordinance/resolution.)*

- **Name:** Ann DeHerrera / Vanessa West
- **Phone:** 720-865-3129 / 720-913-0719
- **Email:** [Ann.Deherrera@denvergov.org](mailto:Ann.Deherrera@denvergov.org) / [Vanessa.west@denvergov.org](mailto:Vanessa.west@denvergov.org)

5. **Contact Person:** *(With actual knowledge of proposed ordinance/resolution who will present the item at Mayor-Council and who will be available for first and second reading, if necessary.)*

- **Name:** Angela Casias
- **Phone:** 720-913-8529
- **Email:** [Angela.Casias@denvergov.org](mailto:Angela.Casias@denvergov.org)

6. **General description/background of proposed ordinance including contract scope of work if applicable:**

Request to relinquish two easements located at the properties on the northern corner of Speer and Bannock for a development to include retail, restaurant and residential lobby uses on the main floor with 11 levels of residential apartment above.

**\*\*Please complete the following fields:** *(Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field – please do not leave blank.)*

- a. **Contract Control Number:** N/A
- b. **Contract Term:** N/A
- c. **Location:** Speer and Bannock
- d. **Affected Council District:** District 3 - Lopez
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** N/A

7. **Is there any controversy surrounding this ordinance?** *(Groups or individuals who may have concerns about it?)*  
Please explain.

None.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_



# EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

**Project Title:** Speer and Bannock Easement Relinquishment

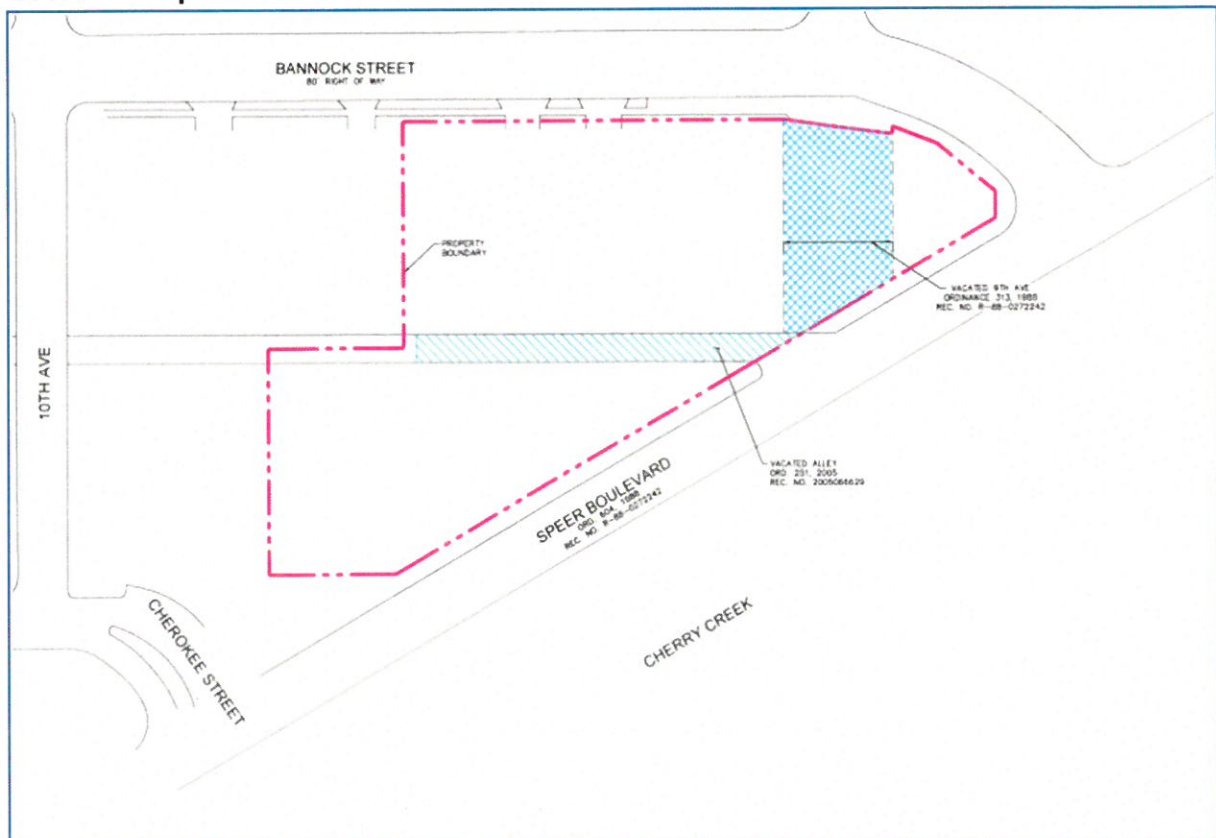
**Owner name:** Bannock Associates, LTD

**Description of Proposed Project:** Request to relinquish easements originally conveyed in Ordinance No. 251, Series 2005, Reception No. 2005066629 and Ordinance No. 313, Series 1998, Reception No. R-88-0272242 located at the northern corner of Speer and Bannock.

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:** The easements are no longer needed and must be relinquished in order to develop on the site.

**Background:** Request to relinquish two easements located at the properties on the northern corner of Speer and Bannock for a development to include retail, restaurant and residential lobby uses on the main floor with 11 levels of residential apartment above.

## Location Map:



**EXHIBIT "A"**  
SHEET 1 OF 2  
LAND DESCRIPTION

A PARCEL OF LAND BEING ALL THAT PORTION OF 9th AVENUE VACATED BY ORDINANCE 313, SERIES OF 1988, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RANGE POINT IN THE INTERSECTION OF BANNOCK STREET AND 9TH AVENUE FROM WHENCE A RANGE POINT IN THE INTERSECTION OF BANNOCK STREET AND 10TH AVENUE BEARS NORTH 00°10'16" WEST A DISTANCE OF 579.79 FEET WITH ALL BEARINGS HEREIN RELATIVE THERETO:

THENCE N 44°02'52" W, A DISTANCE OF 28.86 FEET THE WEST RIGHT OF WAY OF BANNOCK STREET AND THE SOUTHEAST CORNER OF LOT 20, BLOCK 6 WHITSITT'S ADDITION TO DENVER AND THE POINT OF BEGINNING;

THENCE S 07°45'30" W ALONG SAID WEST RIGHT OF WAY, A DISTANCE OF 40.25 FEET;

THENCE S 07°10'45" W ALONG SAID WEST RIGHT OF WAY, A DISTANCE OF 40.33 FEET TO THE NORTHERLY LINE OF LOT 1, BLOCK 11, SAID WHITSITT'S ADDITION TO DENVER;

THENCE S 89°46'51" W ALONG SAID NORTH LINE, A DISTANCE OF 102.51 FEET TO THE NORTHWEST CORNER OF SAID LOT 1 AND THE EASTERLY RIGHT OF WAY OF SPEER BOULEVARD;

THENCE N 29°53'19" W ALONG SAID EASTERLY RIGHT OF WAY, A DISTANCE OF 74.19 FEET TO THE INTERSECTION OF SAID EASTERLY RIGHT OF WAY WITH THE EAST LINE OF THE ALLEY IN SAID BLOCK 6;

THENCE N 00°10'16" W ALONG SAID EAST ALLEY LINE, A DISTANCE OF 15.59 FEET TO THE SOUTHWEST CORNER OF LOT 20, SAID BLOCK 6;

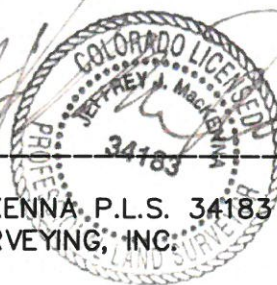
THENCE N 89°51'11" E ALONG THE SOUTH LINE OF SAID LOT 20, A DISTANCE OF 150.00 FEET TO THE WESTERY RIGHT OF WAY OF SAID BANNOCK STREET AND TO THE TRUE POINT OF BEGINNING.

CONTAINING: 10,372 SQUARE FEET, OR 0.238 ACRES OF LAND, MORE OR LESS.

PREPARED BY:

JEFFREY J. MACKENNA, P.L.S. 34183  
FOR FALCON SURVEYING, INC.

DATE: 08/28/2015





# EXHIBIT "A"

SHEET 2 OF 2  
ILLUSTRATION

20' RANGE LINE

10TH AVENUE  
80' RIGHT OF WAY

RANGE BOX

LOT 26

LOT 15

LOT 25

LOT 16

LOT 24

LOT 17

LOT 23

LOT 18

22

LOT 19

LOT 20

BLOCK 6  
WHITSITT'S ADDITION TO DENVER

20' RANGE LINE  
BASIS OF BEARINGS:  
N00°10'16"W  
579.79'

BANNOCK STREET  
80' RIGHT OF WAY

N00°10'16"W  
15.59'

N89°51'11"E  
150.00'

POINT OF BEGINNING

N44°02'52"W  
28.86'

SPEER BOULEVARD  
REC. NO. R-88-0272A2  
ORD. 604, 1988

N29°53'19"W  
74.19'

VACATED WEST 9TH AVENUE  
RED. 313, 1988  
REC. NO. F-88-0272252

19' RANGE LINE

9TH AVENUE

80' RIGHT OF WAY

POINT OF COMMENCEMENT  
FND AXLE IN RANGE BOX

10,372 SQ. FT.,  
OR  
0.238 ACRES ±

S07°45'30"W  
40.25'

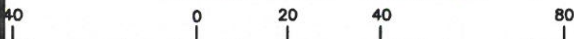
S89°46'51"W

S07°10'45"W  
40.33'

LOT 1  
102.51'

BLOCK 11

GRAPHIC SCALE



( IN US SURVEY FEET )  
1 inch = 40 ft.

THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED SURVEY.  
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

**EXHIBIT "B"**  
**LAND DESCRIPTION**  
 SHEET 1 OF 2

A PARCEL OF LAND BEING ALL THAT PORTION OF 9th AVENUE VACATED BY ORDINANCE 251, SERIES OF 2005, AND THE SOUTHERLY PORTION OF THE ALLEY VACATED BY ORDINANCE 251, SERIES OF 2005 IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RANGE POINT IN THE INTERSECTION OF BANNOCK STREET AND 9TH AVENUE FROM WHENCE A RANGE POINT IN THE INTERSECTION OF BANNOCK STREET AND 10TH AVENUE BEARS NORTH 00°10'16" WEST A DISTANCE OF 579.79 FEET WITH ALL BEARINGS HEREIN RELATIVE THERETO:

THENCE N 83°10'28" W, A DISTANCE OF 171.28 FEET TO THE SOUTHWEST CORNER OF LOT 20, BLOCK 6, WHITSITT'S ADDITION TO DENVER AND THE EAST LINE OF THE ALLEY OF SAID BLOCK 6 AND THE POINT OF BEGINNING;

THENCE S 00°10'16" E, A DISTANCE OF 15.59 FEET TO THE EASTERLY RIGHT OF WAY OF SPEER BOULEVARD;

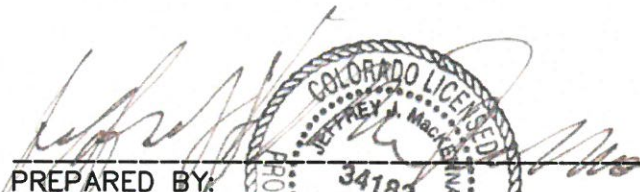
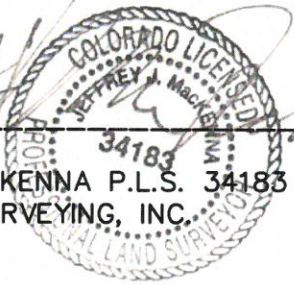
THENCE N 29°54'36" W ALONG SAID EASTERLY RIGHT OF WAY, A DISTANCE OF 40.32 FEET;

THENCE N 00°10'16" W, A DISTANCE OF 247.52 FEET;

THENCE N 89°51'11" E, A DISTANCE OF 20.00 FEET;

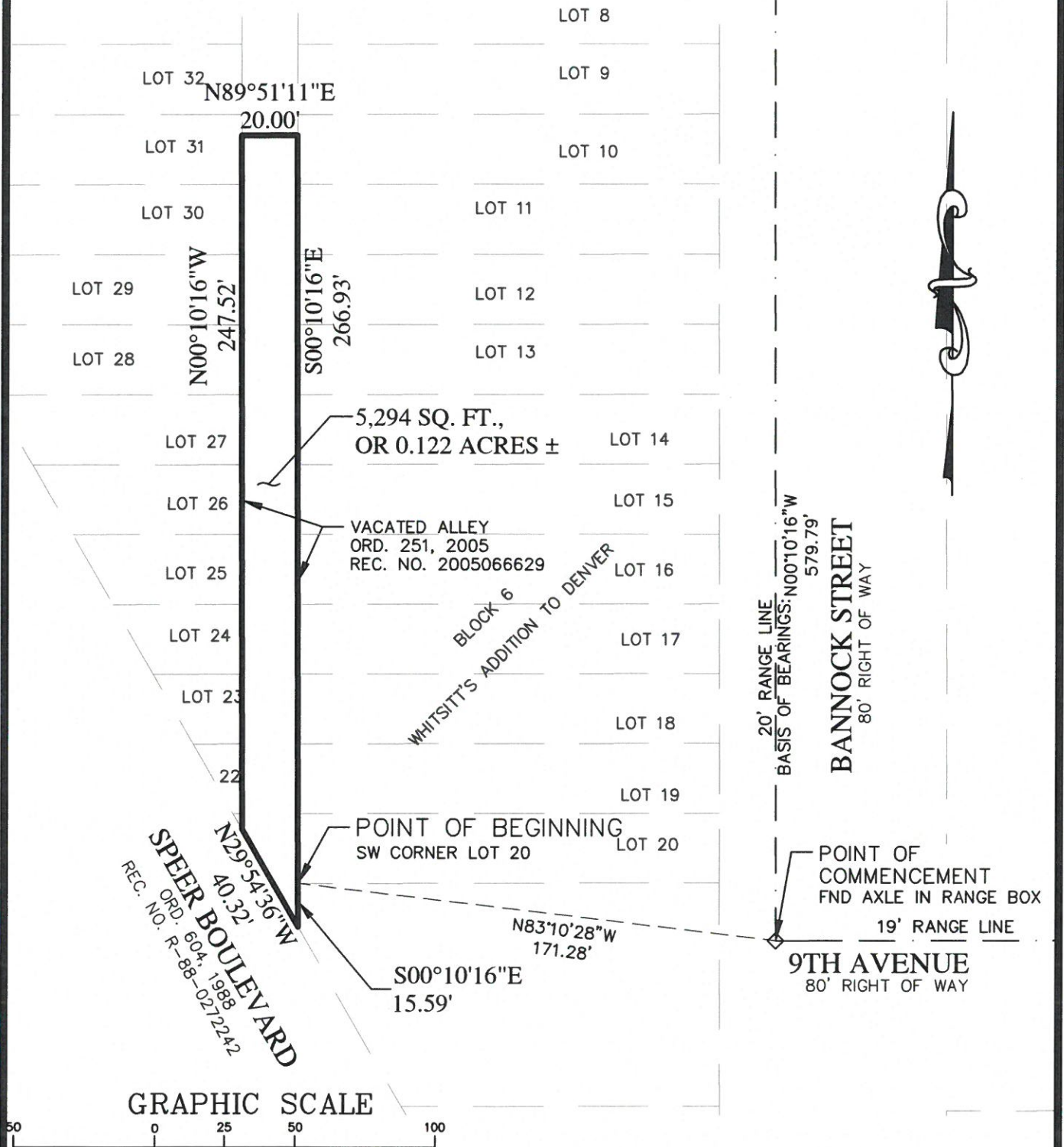
THENCE S 00°10'16" E, A DISTANCE OF 266.94 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING: 5,294 SQUARE FEET, OR 0.122 ACRES OF LAND, MORE OR LESS.

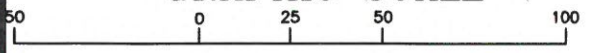
PREPARED BY:    
 JEFFREY J. MACKENNA P.L.S. 34183 DATE: 09/15/2016  
 FOR FALCON SURVEYING, INC.

# EXHIBIT "B"

ILLUSTRATION  
SHEET 2 OF 2



GRAPHIC SCALE



( IN US SURVEY FEET )  
1 inch = 50 ft.

THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED SURVEY.  
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.